

Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

DEREK TUCSON, ROBIN SNYDER,
MONSIEREE DE CASTRO, and ERIK
MOYA-DELGADO,

Plaintiffs,

v.

CITY OF SEATTLE, ALEXANDER
PATTON, TRAVIS JORDAN, DYLAN
NELSON, JOHN DOES (#1-4), and JANE
DOES (#1-2)

Defendants.

No. 2:23-cv-00017-MJP

DECLARATION OF BRADEN PENCE IN
SUPPORT OF PLAINTIFFS' REPLY IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION

I, Braden Pence, declare as follows:

1. I am an attorney licensed to practice in the state of Washington. I represent the plaintiffs in the above matter. I am over the age of 18 and am competent to testify. I have personal knowledge of the following.
2. On March 24, 2023 I electronically served the Washington State Attorney General's Office with a copy of our Supplemental Complaint as well as written notice that the ordinance challenged in this case shares language with RCW 9A.48.090. On April 3, 2023, Deputy Solicitor General Jefferey Even responded in writing: "The Attorney

DECLARATION OF BRADEN PENCE IN SUPPORT OF PLAINTIFFS'
REPLY IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY
INJUNCTION - 1

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MACDONALD HOAGUE & BAYLESS
705 Second Avenue, Suite 1500
Seattle, Washington 98104
Tel 206.622.1604 Fax 206.343.3961

1 General's Office does not intend to participate in the trial court proceeding in this
2 case."

- 3 3. **Exhibit 1** is a true copy of video footage taken March 3, 2021 in the vicinity of the
4 SPD's West Precinct in Seattle, Washington. I obtained the video from the person
5 who captured it while present at the events depicted, and is described in Plaintiff's
6 FRCP 26 Initial Disclosures of April 4, 2023. The video is being a physically
7 delivered to the clerk contemporaneous with this filing and the notice of physical
8 delivery required by local rule will be filed via ECF.
9
10 4. Attached here as **Exhibit 2** is a true copy of a photograph I took of a restaurant
11 payment slip at Seattle restaurant "13 Coins" on April 18, 2023 which does not
12 include the word "signature" anywhere on the paper on which the payor is required to
13 write.
14

15
16 I swear the foregoing is true to the best of my knowledge under penalty of perjury under the laws
17 of the United States of America.
18

19 DATED this 19th day of April, 2023 at Seattle, Washington.
20

21 s/Braden Pence
22 Braden Pence
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24
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26
27

CERTIFICATE OF SERVICE

I hereby certify that on this date I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following individuals:

Attorneys for Defendants

Ann Davison
Seattle City Attorney

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Seattle City Attorney's Office
701 Fifth Avenue, Suite 2050
Seattle, WA 98104

DATED this 19th day of April, 2023, at Seattle, Washington.

s/ Lucas Wildner
Lucas Wildner, Legal Assistant